

Notice of Allowability	Application No.	Applicant(s)	
	10/757,177	PRICE ET AL.	
	Examiner	Art Unit	
	Hoon Song	2882	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to response filed on 12/16/2004.
2. ☒ The allowed claim(s) is/are 1-24,27-32 and 40-51.
3. ☒ The drawings filed on 14 January 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Terminal Disclaimer

The terminal disclaimer filed on 12/16/2004 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US 6,760,407B2 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Allowable Subject Matter

Claims 1-24, 27-32 and 40-51 are allowed over prior art.

The following is an examiner's statement of reasons for allowance:

Regarding claims 1-10 and 43, the prior art fails to teach an x-ray source having a cold cathode with a curved emission surface and an anode, wherein a relative position of the anode with respect to the curved emission surface changes during operation of the x-ray source as claimed in independent claim 1.

Regarding claims 11-24, the prior art fails to teach an x-ray source having a cold cathode with curved emission surface curved in two dimensions, wherein the surface is curved in one of the two dimensions about an axis and the surface only being curved in the one dimension about the axis as claimed in independent claim 11.

Regarding claims 27 and 44-49, the prior art fails to teach an x-ray source having a cathode curved in two dimensions, wherein the surface curved with a first radius in a first of the two dimensions and curved with a second radius, different than the first radius, in a second of the two dimensions as claimed in independent claim 27.

Regarding claims 28-32 and 50, the prior art fails to teach an x-ray source having a first set of emitter operative to emit a first electron beam with a first focal spot and a first shape, and a second set of emitter operative to emit a second electron beam with second focal spot and a second shape as claimed in independent claim 28.

Regarding claims 40-41 and 51, the prior art fails to teach an imaging system having a cold cathode with curved emission surface and x-ray controller couple to the cold cathode to control the emission of cold cathode by feedback information from an x-ray detector as claimed in independent claim 40.

Regarding claim 42, the prior art fails to teach an x-ray system having a cold cathode with curved emission surface and an x-ray controller couple to the cold cathode to control a focal spot on anode to wobble as claimed in independent claim 42

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoon Song whose telephone number is (571) 272-2494. The examiner can normally be reached on 8:30 AM - 5 PM, Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Glick can be reached on (571) 272 - 2490. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2882

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HKS

2/15/05
HKS



DAVID V. BRUCE
PRIMARY EXAMINER